1 2 3 4 5 6 7 8	FRANK FALZETTA, Cal. Bar No. 1251 SCOTT SVESLOSKY, Cal. Bar No. 217 SHEPPARD, MULLIN, RICHTER & H. 333 South Hope Street, 48th Floor Los Angeles, California 90071-1448 Telephone: 213-620-1780 Facsimile: 213-620-1398 ffalzetta@sheppardmullin.com ssveslosky@sheppardmullin.com TED C. LINDQUIST, III, Cal. Bar No. 1 SHEPPARD, MULLIN, RICHTER & H. Four Embarcadero Center, 17th Floor San Francisco, California 94111-4109 Telephone: 415-434-9100 Facsimile: 415-434-3947 tlindquist@sheppardmullin.com	660 AMPTON LLP 78523
10 11	Attorneys for Defendant and Counterclaimant LIBERTY MUTUAL FIRE INSURANCE COMPANY	
12	UNITED STATES DISTRICT COURT	
13	NORTHERN DISTRICT OF CALIFORNIA	
15 16 17 18 19 20 21 22 23	LARGO CONCRETE, INC., a California Corporation; N.M.N. CONSTRUCTION, INC., a California Corporation, Plaintiffs, v. LIBERTY MUTUAL FIRE INSURANCE COMPANY, a Massachusetts Corporation, and DOES 1 through 100, inclusive. Defendants. AND RELATED COUNTERCLAIM	Case No. C07-04651 CRB (ADR) Hon. Charles R. Breyer [Complaint Filed: September 10, 2007] STIPULATION AND [PROPOSED] ORDER CONTINUING (1) HEARING ON MOTION TO DISQUALIFY; AND (2) CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES. [Declaration of Nicholas Roxborough filed concurrently]
24	STIPUI	LATION
25 26 27	This Stipulation is entered into by and between plaintiff Largo Concrete, Inc. and plaintiff and counterdefendant N.M.N. Construction, Inc. (collectively "Plaintiffs"), by and through their attorney of record, Nicholas	
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WHEREAS during the week of November 26, 2007 Mr. Roxborough ist report for jury duty at Los Angeles County Superior Court, which would event him from being able to attend the November 30, 2007 hearing on Liberty utual's Motion to Disqualify;

WHEREAS, Mr. Roxborough has a very heavy schedule on his endar during the weeks of October 29 and November 5, 2007 such that preparing horough opposition to Liberty Mutual's Motion to Disqualify by the current vember 9, 2007 deadline would be very difficult;

WHEREAS, Liberty Mutual cannot participate in the early meting of unsel with the Roxborough firm and discuss early settlement, a discovery plan, ., because it believes that the Roxborough firm is ethically prohibited from resenting Plaintiffs adverse to Liberty Mutual in this matter;

WHEREAS, until the Court rules on Liberty Mutual's Motion to qualify the Roxborough firm, it is at the very least premature for the parties to inply with the deadlines set by the Court's CMC Order or participate in a CMC.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED and between the parties that:

1. The hearing on Liberty Mutual's Motion to Disqualify the xborough Firm is continued to December 14, 2007;

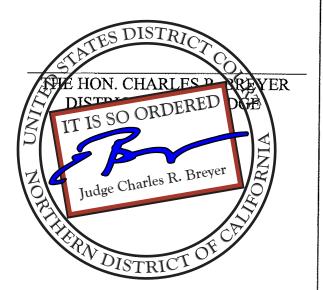
2. The CMC is continued to January 11, 2008; and

1	3. All other pre-CMC deadlines are continued as set forth in the	
2	Court's CMC Order.	
3		
4	Dated: October 30, 2007	
5	SHEPPARD, MULLIN, RICHTER & HAMPTON LLP	
6		
7	By send Ato	
8	FRANK FALZETTA	
9	Attorneys for Defendant and Counterclaimant	
	LIBERTY MUTUAL FIRE INSURANCE COMPANY	
10	Dated: October 30, 2007	
11		
12	ROXBOROUGH, POMERANCE & NYE LLP	
13		
14	By //////	
15	NICHOLAS ROXBOROUGH	
	Attorneys for Plaintiffs and Counterdefendant LARGO CONCRETE, INC. and	
16	N.MN. CONSTRUCTION, INC.	
17		
18		
19	<u>ORDER</u>	
20		
21	The Court, having read and considered the foregoing Stipulation, and	
22	good cause appearing therefore,	
23		
24	IT IS HEREBY ORDERED as follows:	
25		
26	1. The hearing on Liberty Mutual's Motion to Disqualify the	
27	Roxborough Firm is continued to December 14, 2007 at 10:00 a.m. in Courtroom 8;	
28		
20		
1	W02-WEST:1SCS1\400503972.1 -4-	

2. The CMC is continued to January 11, 2008 at 8:30 a.m. in Courtroom 8; and

3. All other pre-CMC deadlines are continued as set forth in the Court's CMC Order.

Dated: November _02, 2007



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